

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

MODIFIED CHAPTER 13 PLAN

Susan R. Goede

Dated: June 25, 2010

Case No. 09-42239

DEBTOR

In a joint case, debtor means debtors in this plan.

1. DEBTOR'S PAYMENTS TO TRUSTEE —

- a. As of the date of this plan, the debtor has paid the trustee \$ 5,850.00
- b. After the date of this plan, the debtor will pay the trustee \$350.00 per month for 8 months, beginning in July, 2010, for a subtotal of \$2,800.00. Commencing in March, 2011 the debtor will pay the trustee \$825.00 for 38 months, for a subtotal of \$31,350.00. The minimum plan length is X 36 or 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- c. The debtor will also pay the trustee \$ 0
- d. The debtor will pay the trustee a total of \$40,000.00 [line 1(a) + line 1(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE — The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$3,750.00, [line 1(d) x .10].

3. ADEQUATE PROTECTION PAYMENTS [§ 1326(a)(1)(C)] – The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

Creditor	Monthly Payment	Number of Months	Total Payments
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a. none

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365] – The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth in ¶ 7.

Creditor	Description of Property
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a. none

5. CLAIMS NOT IN DEFAULT – Payments on the following claims are current and the debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any.

Creditor	Description of Claim
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a. none

6. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5) and § 1322(e)] — The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. All following entries are estimates. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. Deutsche Bank	\$14,202.95	\$178.68	1*	46	\$14,202.95
b. Miramonte Ranch HOA	\$698.00	n/a -- already paid			\$ <u>698.00</u>

* of modified plan, will increase in month 9 of modified plan	TOTAL	\$14,909.95
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7. CLAIMS IN DEFAULT [§ 1322 (b)(3) and (5) and § 1322(e)] — The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. All following entries are estimates, except for interest rate

Creditor	amount of Default	int. rate (if applicable)	Monthly Payment	Beginning in Month #	number of payments	TOTAL Payments
a. none	\$	\$				\$

8. OTHER SECURED CLAIMS; SECURED CLAIM AMOUNT IN PLAN CONTROLS [§ 1325(a)(5)] — The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor's discharge. NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM.

Creditor	claim	secured claim	int. rate	begin-ning in month #	monthly payments	number of on account of claim	=	TOTAL PAYMENTS
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a. Washington \$33,000.00 13,134.51 8 1* \$100.00 46 \$15,880.40
Mutual (2nd mortgage) * of modified plan, will increase in month 9 of modified plan

9. The trustee will pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates. The trustee will pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. Attorney Fees	\$2,500.00	\$ 36.32	1*	41	\$ 2,500.00
b. Domestic support	\$ 0				\$
c. IRS	\$ 1705.00	\$ 50.00	9**	34	\$ 1,705.00
d. CO Dept. of Rev.	\$ 1102.00	\$ 40.00	9**	28	\$ 1,102.00
e.					\$
f.			Total:		\$ 5,307.00

* of modified plan, will increase in month 9 of modified plan

** of modified plan

10. SEPARATE CLASSES OF UNSECURED CREDITORS — In addition to the class of unsecured creditors specified in ¶ 11, there shall be separate classes of non-priority unsecured creditors described as follows: none

The trustee will pay the allowed claims of the following creditors. All entries below are estimates.

a. None.

11. TIMELY FILED UNSECURED CREDITORS — The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$ 152.65 [line 1(d) minus lines 2, 6(d), 7(d), 8(d), 9(f), and 10(c)].

a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 8 are \$19,865.49.

b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 8 and ¶ 10) are \$13,952.00

c. Total estimated unsecured claims are \$33,817.49 [line 11(a) + line 11(b)].

12. TARDILY-FILED UNSECURED CREDITORS — All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 6, 7, 8, 9, 10, or 11 will be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

13. OTHER PROVISIONS — The trustee may distribute additional sums not expressly provided for herein at the trustee's discretion. As to the claims dealt with in paragraphs 5, 6, 7 and 8, in the event of the surrender or foreclosure or repossession or return of the collateral to the creditor for any reason, the

balance of the claim, if any, will be paid as an unsecured claim, discharged by the discharge granted pursuant to 11 USC 1328. The debtor may prepay the payments due under the plan after the 36th month. The debtor will pay, in full (with interest) all postpetition claims allowed under 11 USC Sec. 1305, if there are any such claims. Confirmation of the plan shall impose a duty on the holders and/or servicers of claims secured by liens on real property to apply the payments received from the trustee on the pre-petition arrearages, if any, only to such arrearages; to apply the direct mortgage payments as set out in the note and mortgage; to notify the trustee, the debtor and the attorney for the debtor of any changes in the interest rate for an adjustable rate mortgage and the effective date of the adjustment; to notify the trustee, the debtor and attorney for the debtor of any change in the taxes and insurance that would either increase or reduce the escrow portion of the monthly mortgage payment; and to otherwise comply with 11 U.S.C. Section 524(i). The holders and/or servicers of claims secured by liens on real property may send payment coupons to the debtor. The plan filed by the debtor(s) herein hereby specifically rejects, avoids, cancels and otherwise releases the debtor(s) from any and all contractual provisions, with any party or entity, which could or may impose on the debtor(s) any duty, requirement or obligation to submit any and all claims, demands, or causes of action of the debtor(s) or any defenses, affirmative or otherwise, of any nature whatsoever, whether known or unknown, and whether arising pre-petition or post-petition, to any form of binding arbitration or alternative dispute resolution.

Special notice is hereby given to Washington Mutual (now Deutsche Bank National Trust Comany as trustee for GSAMP 2005-32 Pass Through Certificates, Series 2005 S2), holder of the second mortgage against the debtor's Colorado property, said second mortgage dated May 10, 2004, filed for record May 17, 2004 as document 2004007160 in the official records of Broomfield County, Colorado, that: The property was not the principal residence of the debtor at the time the case was filed; the secured portion of the claim secured by said mortgage is \$13,134.51; at the completion of payments due under this plan the holder of said mortgage shall discharge the same of record.

14. SUMMARY OF PAYMENTS —

Trustee's Fee [Line 2]	\$ 3,750.00
Home Mortgage Defaults [Line 6(d)]	\$ 14,909.95
Claims in Default [Line 7(d)]	\$ 0
Other Secured Claims [Line 8(d)]	\$ 15,880.40
Other Claims [Line 9(f)]	\$ 5,307.00
Separate Classes [Line 10(c)]	\$ 0
Unsecured Creditors [Line 11]	\$ <u>152.65</u>
TOTAL [must equal Line 1(d)]	\$ 40,000.00

Name, Address, Telephone
and License Number of Debtor's Attorney:

Sam V. Calvert #1431X
1011 2nd ST N Ste 107
St Cloud MN 56303
320-252-4473

Signed: Susan R. Goede /e/
Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Susan Renee Goede

Debtors.

Chapter 13 file Case: 09-42239

UNSWORN DECLARATION FOR PROOF OF SERVICE

Barb Robinson, employed by Sam V. Calvert, attorney licensed to practice law in this Court, with office address of 1011 2nd St. North, Suite 107, St. Cloud, MN 56303, declares that on August 20, 2010 I served the attached Notice of Motion to Modify Plan and Confirmation Hearing on the entity or entities listed below, by mailing each of them a copy thereof by enclosing the same in an envelope, first class postage prepaid, and depositing the same in the United States Mail at St. Cloud Minnesota addressed as follows:

Office of the US Trustee (Electronically)
Suite 1015
300 S 4th St
Mpls MN 55415

Kyle Carlson
Box 519
Barnsville MN 56514

by US Mail

Susan Goede
1060 Opal St #201
Broomfield CO 80020

see attached list

And I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: August 20, 2010 /e/ Barb Robinson

CANDICA L.L.C.

C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121

CAPITAL ONE

PO BOX 30285
SALT LAKE CITY, UT 84130

CAPITAL ONE BANK (USA), N.A.

C/O TSYS DEBT MANAGEMENT (TDM)
PO BOX 5155
NORCROSS, GA 30091

CITIFINANCIAL

THE VILL AT LAFAYETTE S. 105,
297 US HWY 287
LAFAYETTE, CO 80026

CITIFINANCIAL

PO BOX 499
HANOVER, MD 21076

COLORADO DEPARTMENT OF REVENUE

1375 SHERMAN STREET ROOM 504
ATTN BANKRUPTCY UNIT
DENVER CO 80261

Colorado Dept of Revenue

1375 Sherman St
Denver CO 80261-0004

COLORADO DEPT. OF REVENUE

DENVER, CO 80261-0005

DEUTSCHE BANK NATIONAL TRUST CO.

300 GRAND AV S
LOS ANGELES, CA 90071

eCAST Settlement Corporation

POB 35480
Newark NJ 07193-5480

INTERNAL REVENUE SERVICE
SPECIAL PROCEDURES STOP 5700
316 NORTH ROBERT ST
ST PAUL, MN 55101

INTERNAL REVENUE SERVICE
P O BOX 21126
PHILADELPHIA, PA 19114

JP MORGAN CHASE BANK
AS MORTGAGE LOAN SERVICER
7255 BAYMEADOWS WAY
MAIL STOP JAXB2007
JACKSONVILLE FL 32256

JPMorgan Chase Bank, National Association
7255 Baymeadows Way
Jacksonville, FL 32256

MIRAMONTE RANCH CONDO HOMEOWNER ASSOC
BOX 270368
LOUISVILLE, CO 80027

PUBLIC TRUSTEE CITY CO BROOMFIELD
1 DESCOMBES DR
BROOMFIELD, CO 80020

ROBERT J. HOPP & ASSOC. LLC
FILE 08 02644RH
BOX 8689
DENVER, CO 80201

VISA -- SST
4315 PICKETT RD
ST JOSEPH, MO 64503

Shapiro & Zielke
re: Deutsche Bank National Trust Company
as Trustee for GSAMP Trust
12550 West Frontage Rd, Ste 200
Burnsville MN 55337

Shapiro & Zielke

re: Deutsche Bank National Trust Company
as Trustee for Long Beach Mortgage Loan Trust
12550 West Frontage Rd, Ste 200
Burnsville MN 55337

WASHINGTON MUTUAL

PO BOX 100576
FLORENCE, SC 29502-0576

WASHINGTON MUTUAL

ATT: JOHN MACIEL CFO
1301 SECOND AVENUE
SEATTLE, WA 98101

WASHINGTON MUTUAL

BOX 78148
PHOENIX, AZ 85062-8148

WASHINGTON MUTUAL

PO BOX 9016
PLEASANTON, CA 94566-9016

WASHINGTON MUTUAL HOME LOANS, INC.

C/O CT CORP
405 2ND AVE S
MINNEAPOLIS, MN 55402

United States Bankruptcy Court
District of Minnesota

IN RE:

09-42239

Case No. _____

Goede, Susan Renee

Chapter 13

Debtor(s)

SIGNATURE DECLARATION

- ☐ PETITION, SCHEDULES & STATEMENTS
- ☐ CHAPTER 13 PLAN
- ☐ SCHEDULES & STATEMENTS ACCOMPANYING VERIFIED CONVERSION
- ☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
- ☒ MODIFIED CHAPTER 13 PLAN
- ☒ OTHER (Please describe) Motion Hearing

I [We], the undersigned debtor(s) or authorized representative of the debtor, *make the following declarations under penalty of perjury:*

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- [individual debtors only] If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- [corporate and partnership debtors only] I have been authorized to file this petition on behalf of the debtor.

Date: 8/18/2010

x Susan Renee Goede
Signature of Debtor or Authorized Representative

x _____
Signature of Joint Debtor

Susan Renee Goede
Printed Name of Debtor or Authorized Representative

Printed Name of Joint Debtor